Attorney's Docket No.: 005079.P003

Patent

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an onginal, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

COMMUNICATION MANAGEMENT SYSTEM AND METHOD

the specificati	on of which	
X	is attached hereto. was filed on May 26, 2000 United States Application Number 09/579 551 or PCT international Application Number	as
	and was amended on	
	(if applicable)	
		_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

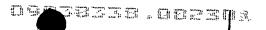
I acknowledge the duty to disclose all information known to me to be material to petentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35. United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filling date before that of the application on which priority is claimed:

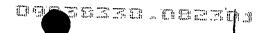
Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Montr/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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part of this document) as my substitution and revocation, the and Trademark Office connected to Take	Filing Date Ilsted on Appendix A herato respective patent attorneys a prosecute this application a cted herawith.	pending, abandoned) (Status - patented, pending, abandoned) (which is incorporated by reference and a and patent agents, with full power of and to transact all business in the Patent , BLAKELY, SOKOLOFF, TAYLOR
(Application Number) I hereby appoint the persons part of this document) as my substitution and revocation, to the control of	Filing Date Ilsted on Appendix A hereto respective patent attorneys a prosecute this application a	pending, abandoned) (Status - patented, pending, abandoned) (which is incorporated by reference and a and patent agents, with full power of
		pending, abandoned) (Status - patented,
(Application Number)	· mily was	
	Filing Date	(Status - patented,
application(s) listed below an is not disclosed in the prior U of Title 35, United States Cook known to me to be material to	d, insofar as the subject mat infled States application in the de, Section 112, I acknowled to patentability as defined in T available between the filing di te of this application:	ode, Section 120 of any United States ter of each of the claims of this application e manner provided by the first paragraph ge the duty to disclose all information little 37, Code of Federal Regulations, ate of the prior application and the national
(Application Number)	Filing Date	
60/188,486	3/10/00	
(Application Number)	Filing Date	
60/188,489	3/10/00	
(Application Number)	Filing Date	
60/153.347	9/10/99	
	Filing Date	
(Application Number)	6/17/99	
	Filing Date	
(Application Number) 60/139,649 (Application Number)	E11 O-44	



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and firether that there statements were made, with the knowledge that willful fains statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful fairs at attements may Jeopardize the validity of the application or any patent issued thereon.

	Full Name of Sole/Fit	at Inventor Ran M. Oz		
X	Inventor's Signature	00	Date	ec 25, 2000
	Residence	Modlin, Israel	Citizenship	Israel
		(City, State)	, , , , , , , , , , , , , , , , , , , ,	(Country)
	Post Office Address	27 Nahai Gazton Street Modim_71700, Israel		
	Call Name of Concerd			
,	rull Name of Second	Joint Inventor New Strassma		
X	Inventor's Signature	- Andi	Dete D	2. 25. 2000
	Residence	Remar Gen, Israel	Citizenship	Israel
		(Gity, State)		(Country)
	Post Office Address	33 Magle Hatsofim Street		
		Remat Gan 52458, Israel		
	Full Name of Third/Jo	pint Inventor Amir Basan-eske	nazi	
X	Invantor's Signature		Date	
		San Mateo, California	Citizenship	Israel
		(CRy, State)		(Country)
	Post Office Address	2820 Juniper Street San Mateo, California 94403		
		San Mareo, Camprila 34403		
	-	Joint Inventor Andrey Yruski		
V	Inventor's Signature	Institute	Date 15	7/12/00
7				-
	Residence	Natanya Israel	Citizenship	lerael
		(City, State)		(Country)
	Post Office Address	20 Shmuel Hanatsiv Street		
	. 444 411144 7144	Natanya 42281, Israel		

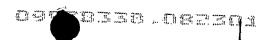
Rev. 06/27/00 (D1)

Full Name of Fifth/Joint II	nventor Oded Rolan		
inventor's Signature	/AL Y	Date	966 75 , 7000
	Tel Aviv. Israel (City, State)	Citizenship	(Country)
Post Office Address 4 f	Aovat Street		

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William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. P42,261; Aloysius T. C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Lisa N. Benado, Reg. No. 39,995; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 45,149; Gregory D. Caldwell, Reg. No. 39,926; Andrew C. Chen, Reg. No. 43,544; Thomas M. Coester, Reg. No. 39,637; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Dennis M. deQuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. P48,503; Michael Anthony DeSanotis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Robert Andrew Diehl, Reg. No. 40,992; Sanjeet Dutta, Reg. No. P46,146; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; George Fountain, Reg. No. 37,374; Paramita Ghosn, Reg. No. 42,806; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Libby N. Ho, Reg. No. P46,774; Willmore F. Hofbrow III, Reg. No. P41,845; Sheryi Sue Holloway, Reg. No. 37.850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kldd, Reg. No. 31,772; Sang Hul Kim, Reg. No. 40,450; Walter T. Klm, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Erica W. Kuo, Reg. No. 42,775; George Brian Leavell, Reg. No. 45,436; Kurt P. Leyendecker, Reg. No. 42,799; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, 10.9(b); Paul A. Mendonsa, Reg. No. 42.879; Clive D. Menezes, Reg. No. 45,493; Chun M. Ng, Reg. No. 36,678; Thien T. Nguyan, Reg. No. 43,835; Thinh V. Nguyan, Reg. No. 42,034; Dannio A. Nicholis, Reg. No. 42,036; Daniel E. Ovanezian, Reg. No. 41,235; Kenneth B. Paley, Reg. No. 38,989; Marina Portnova, Reg. No. P45,750; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,868; William W. Schaal, Reg. No. 38,018; James C. Scheller, Reg. No. 31,195; Jeffrey Sam Smith, Reg. No. 39.377; Maria McCormeck Sobrino, Reg. No. 31.639; Stanley W. Sckoloff, Reg. No. 25.128; Judith A. Szepest, Reg. No. 39,393; Vincent P. Tasalnari, Reg. No. 42,179; Edwin H. Taylor, Reg. No. 25, 129: John F. Travis, Reg. No. 43, 203; Joseph A. Twarowski, Reg. No. 42, 191; Tom Van Zandt, Reg. No. 43,219; Lester J. Vincent, Reg. No. 31,460; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. P45,322; Thomas C. Webster, Reg. No. P46, 154; Steven D. Yates, Reg. No. 42,242; and Norman Zaimen, Reg. No. 26,250; my patent attorneys, and Firesat All, Reg. No. 45,715; and Justin M. Dillon, Reg. No. 42,486; my parent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor. Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.



APPENDIX B

Title 97, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the fitting and prospection of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability of any claim.

and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filling or prosecution of a patent application believe any pending claim patentably defined, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and
- (1) It aetablishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (I) Opposing an argument of unparentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) individuals associated with the filling or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or egent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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